

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

SPIRE MISSOURI INC.,

Plaintiff,

v.

CONSTELLATION NEWENERGY,
GAS DIVISION, LLC,

Defendant.

Case No. 4:21-cv-00181-MDH

**DEFENDANT’S UNOPPOSED MOTION FOR WITHDRAWAL AND
SUBSTITUTION OF COUNSEL FOR DEFENDANT**

In accordance with Local Rule 83.2, Defendant Constellation NewEnergy Gas Division, LLC, hereby moves the Court to allow Patrick N. Fanning, of the law firm of PEAK Litigation LLP, to withdraw his appearance as counsel for Defendant in this lawsuit.

Mr. Fanning and the members of his law firm are transitioning their practice from PEAK Litigation LLP to another law firm. Accordingly, due to the existence of previous representation arrangements between the PEAK attorneys’ future firm and clients in other matters, Mr. Fanning must withdraw from further representation of Defendant.

Defendant further asks the Court to allow Brian J. Madden of the law firm of Wagstaff & Cartmell LLP to enter his appearance as substitute counsel for Defendant in this lawsuit.

Defendant’s counsel Mr. Fanning has advised Plaintiff’s counsel of the contents of Defendant’s Motion for Withdrawal and Substitution of Counsel for Defendant. Plaintiff does not oppose Defendant’s Motion.

Respectfully submitted,

Withdrawing counsel:

PEAK LITIGATION LLP

/s/Patrick N. Fanning

Patrick N. Fanning MO #47615

4900 Main Street, Ste. 160

Kansas City, Missouri 64112

Telephone: (816) 281-5404

pfanning@peaklitigation.com

AND

Entering counsel:

WAGSTAFF & CARTMELL LLP

/s/ Brian J. Madden

Brian J. Madden MO #40637

4740 Grand Avenue, Suite 300

Kansas City, MO 64112

Telephone: (816) 701-1100

bmadden@wcllp.com

*Attorneys for Defendant Constellation
NewEnergy-Gas Division, LLC*

CERTIFICATE OF SERVICE

I hereby certify that on November 3, 2021, I electronically filed the foregoing with the clerk of the court by using the CM/ECF system, which will send a notice of electronic filing to all counsel of record.

/s/Patrick N Fanning

Attorney for Defendant